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7 Attorney for Virab Torosyan

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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 VIRAB TOROSYAN,

15 Defendant.
16

Case No. 2:16-cr-063-APG-PAL

STIPULATION TO CONTINUE
OBJECTIONS TO REPORT AND
RECOMMENDATION [ECF NO. 82]
(First Request)

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18 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre,
19 Acting United States Attorney, and Kilby Macfadden, Assistant United States Attorney,
20 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,
21 and Monique Kirtley, Assistant Federal Public Defender, counsel for Virab Torosyan, that the
22 Objections to Magistrate's Report and Recommendation (ECF No. 82) be extended fourteen
23 (14) days, from the presently set date of August 11, 2017.

24 The Stipulation is entered into for the following reasons:

25 1. On June 20, 2017, the Magistrate Court held a Motion Hearing regarding
26 defendant's Motion to Suppress (ECF No. 76). The Magistrate Court filed its Report and
Recommendation on July 28, 2017. (ECF No. 82).

2. Defense counsel is currently awaiting to receive the written transcript from the Motion to Suppress hearing.

3. The defendant is incarcerated and does not object to the continuance.

4. The parties agree to the continuance.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the defendant sufficient time receive and review the expedited transcripts of the Motion Hearing.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B).

This is the First stipulation to continue filed herein.

DATED this 8th day of August, 2017.

RENE L. VALLADARES
Federal Public Defender

STEVEN W. MYHRE
Acting United States Attorney

/s/ Monique Kirtley
By _____
MONIQUE KIRTLEY
Assistant Federal Public Defender

/s/ Kilby Macfadden
By _____
KILBY MACFADDEN
Assistant United States Attorney

Case No. 2:16-cr-063-APG-PAL

Plaintiff,

V.

VIRAB TOROSYAN,

Defendant.

ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On June 20, 2017, the Magistrate Court held a Motion Hearing regarding defendant's Motion to Suppress (ECF No. 76). The Magistrate Court filed its Report and Recommendation on July 28, 2017. (ECF. No. 82).

2. Defense counsel is currently awaiting to receive the written transcript from the Motion Hearing.

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